

Superintendents' Update

May 2002

Bureau of Administration and School Improvement Services Iowa Department of Education

(This document is also available on the DE web site.)

www.state.ia.us/educate/

1. **Early Start Calendar Waiver Requests for the 2002-03 School Year.** Again this year, school districts will make early start calendar waiver requests for the 2002-03 school year on the spring Basic Educational Data Survey (BEDS). Iowa Code 279.10(4) allows the Board of Directors of a school district to make a request to the Director of the Department of Education to "commence classes for regularly established elementary and secondary schools prior to the earliest starting date specified in subsection 1." A school district must be able to make the following **assurances** on spring BEDS 2002 to make an early start calendar waiver request for the 2002-03:
 - A. The Board of Directors of a school district has held a public hearing on the early start calendar waiver request for 2001-02 prior to spring BEDS. *Note: This public hearing can take place at a regular board meeting (not a consent agenda item) but a regular agenda item to which people can speak if they wish.*
 - B. The Board of Directors of a school district has determined that a starting date on or after the earliest starting date specified in Iowa Code section 279.10 subsection 1 will have a significant negative educational impact.

Please Note: September 1, 2002 falls on a Sunday; as a result, a school district may start school any day during the calendar week preceding September 1 pursuant to 281—IAC 12.1(7). For the 2002-03 school year, if the district is starting school on any day during the week of August 26-30, it does not have to apply for early start calendar waiver. Any start date prior to August 26 will require this waiver request. **Spring BEDS 2002:** Spring BEDS opens May 1, 2002 with a July 5, 2002 due date.

Contact Person: Jeanette McGreevy, 515-281-4750 or jeanette.mcgreevy@ed.state.ia.us

2. **LEA Comprehensive Site Visits for the 2002-03 School Year.** The Department will conduct comprehensive site visits to schools and school districts during the 2002-03 on the regular five-cycle. Schools on cycle will be contacted within the next few weeks to schedule visit dates. The five-year cycle of LEA site visits appears on the Department web site. The names of the schools and school districts that will receive comprehensive site visits during the 2002-03 school year can be found with the following steps:
 - Click on the Pre-K gray box at the top of the Department's main web page.
 - Click on Bureau of Administration and School Improvement Services.
 - Click on School Improvement.
 - Click on Schedules—there is a PDF file: LEA Site Visit Schedule.
 - Users can also access the Superintendents' Update through the first three steps above.Contact: Jeanette McGreevy, 515-281-4750 or jeanette.mcgreevy@ed.state.ia.us

3. **Elementary and Secondary Education Act (ESEA) 2002—No Child Left Behind: How does this federal legislation impact the Comprehensive School Improvement Plan (CSIP)?** This week Judy Jeffrey is distributing a letter regarding the implications of ESEA 2001 requirements for Iowa schools. Please distribute this letter to all people responsible for comprehensive school improvement and federal programs.

Key Points from Judy Jeffrey's Letter:

- **Schools and school districts on cycle to submit new five-year CSIPs September 15, 2002 will not be required to do so.** *Rationale: Federal rules have not been promulgated nor has technical assistance been provided to states at this time. Iowa has to receive approval from the federal government for its state consolidated plan. Until this plan is approved, it is not wise to move ahead with new CSIP requirements.*
- All school districts that wish to access federal funds for the 2002-03 school year will receive an assurances document with budget pages for all federal programs. **All school districts must send the assurance document and proposed budgets to the Department by September 15, 2002.** Funding will be approved by a combination of four components: a) CSIP currently on file with the Department, b) signed assurances, c) budgets, and d) any new ESEA requirements that will appear on the budget pages.
- When the USDE adopts rules and provides technical assistance, the Iowa Department of Education will provide AEAs and LEAs technical assistance in planning, assessment, and reporting—at some time during the 2002-03 school year.
- **Schools and school districts will not submit District-Wide Assessment Plans September 15, 2002.**
- As a result of new ESEA 2001 legislation, it is likely that all schools and school districts will have to submit revised CSIPs and District-Wide Assessment Plans (to meet new ESEA requirements) September 15, 2003.
Contact: Jeanette McGreevy, 515-281-4750 or jeanette.mcgreevy@ed.state.ia.us

4. **Elementary and Secondary Education Act (ESEA) 2002—No Child Left Behind: How does this federal legislation impact the Annual Progress Report (APR)?**

- All schools and school districts will submit APRs September 15, 2002.
- All schools and school districts will submit a Participation Rate Matrix September 15, 2002.
- The APR for the 2001-02 school year contains two new requirements: a) subgroup data for students on F/R lunch must be reported by the subgroup and by the population without the subgroup and b) subgroup data for students with IEPs must be reported by the subgroup and by the population without the subgroup.
- The Department will distribute the new APR checklist with a technical assistance piece on "ITBS and ITED Re-Norming" in the near future.
Contact: Jeanette McGreevy, 515-281-4750 or jeanette.mcgreevy@ed.state.ia.us

5. **Annual Improvement Goals for Reading and Mathematics: Not Meeting These Goals for Two Consecutive Years.** 281—Iowa Administrative Code 12.8(4) states: "If a school or school district does not meet its stated annual improvement goals for at least two consecutive years in the areas of mathematics and reading and is not taking corrective steps, the Department shall consult with the school or school district and determine whether a self-study shall be required."

If schools and school districts do not meet annual improvement goals for reading and mathematics, they are required to report in the same Annual Progress Report (APR) a brief description to the local community about actions to meet annual improvement goals for the next year. This description to the local community serves as the "corrective steps" required by Chapter 12. However, it is expected that schools and school districts continuously examine instructional practices/actions designed to make progress with goals.

This accreditation requirement applies to all schools and school districts in Iowa. *Note: Do not, however, confuse "not meeting annual improvement goals in reading and mathematics" for Chapter 12 accreditation purposes with "schools identified as in need of improvement" under federal Title I legislation. These are currently two separate issues.*

Contact: Jeanette McGreevy, 515-281-4750 or jeanette.mcgreevy@ed.state.ia.us

6. **Non-Public Participation in the Use of No Child Left Behind (NCLB) Allocations.** School districts are advised to provide consultation on and access for accredited nonpublic schools for the following federal program:

- Reading First,
- Migrant Education,
- Professional Development for Teacher Expenditures,
- Math and Science Partnerships,
- Enhancing Education Through Technology,
- English Language Acquisition,
- Safe and Drug Free Schools,
- 21st Century Community Schools, and
- Innovative Programs.

This is a paraphrase of the federal legislation with regard to non-public participation: Administrators serving non-public students are entitled to a) consultation prior to public school decisions about the use of NCLB allocations, b) benefits equitable with public school services, and c) a written statement of rationale from the public school if there is a disagreement with the private school administrator(s) on the delivery of service.

The United States Department of Education (USDE) has not indicated when rules will be formulated. The Department will inform school districts as soon as USDE rules are available.

Contact: Dave Winans, 515-281-4158 or dave.winans@ed.state.ia.us

7. **School Transportation.** (Please forward this information to transportation staff.)

- **School Bus Driver Physicals:** Physicals may be taken on or after May 1st for permits issued for the upcoming (2002-2003) school year. There is no change to the permit application process for the upcoming year. Drivers must use the same application forms as in the past, which are available from the AEA Education Services office. Important: TB tests that were taken on any date during 1999 or before must be re-taken this year to submit permit applications for 2002-2003. (Any TB test taken during 2000 or after is acceptable.)
- **Annual School Transportation Conference (July 22-24) One-Day Shorter:** In recognition of current budget restrictions, the Department and the Iowa Pupil Transportation Association have decided to reduce the length of this year's annual conference by one day in order to reduce travel and conference expenses. Registration fees have been reduced accordingly as well. The Department urges, however, attendance by transportation personnel at this year's event as there are still critical transportation issues that will be addressed during the conference including cost containment issues, recent legislation affecting inspections, inspection criteria, and driver physical qualifications. **IMPORTANT:** Because of the shortened conference this year, the Airport Holiday Inn has changed all previously confirmed hotel reservations for departure on Wednesday, July 24th rather than Thursday the 25th. Anyone wishing to make reservations or to keep his/her Thursday departure reservation should contact the hotel at 800-248-4013.
- **Transportation Legislation:** House File 2515 did pass both houses and is awaiting the Governor's signature. This legislation provides for a school bus inspection fee beginning with the Fall 2002-2003 inspection and changes in driver physical requirements to become effective July 1, 2003 (not this coming school year). The Department will recap the school transportation implications of this legislation in next month's Update and will discuss this during the July 22-24, Annual School Transportation Conference in Des Moines.
- **School Bus Emissions Testing Project:** The Iowa Tailpipe Project will be concluding its initial round of baseline exhaust emissions testing by July 1st. The lead agency for this 5-year, multi-agency/organization project will be the School Administrators of Iowa. Thanks to Troyce Fisher, SAI Executive Director, staff, and Board of Directors for their interest and willingness to serve as the lead organization for this one-of-a-kind project, which the Department anticipates will become a model for the nation. The project will provide vehicle-specific emissions data over the next five years that should prove to be invaluable to schools and their preventive and ongoing maintenance programs. Vehicle emissions data now being collected will be distributed in the form of an official report to schools sometime this summer. The entire Department staff wishes to thank Iowa's school administrators and transportation staff as well as SAI and the Mirenc Corporation for their support and initiative in making this project happen.
- **Accident Report Forms Due:** Please make sure have submitted a DE "School Bus Accident Report" form for each incident involving a school bus that has occurred this school year. This

form is available on the DE web site at www.state.ia.us/educate/programs/transportation and must be submitted regardless of the amount of damage that occurred. (Iowa Administrative Code section 43.36)

Contact: Terry Voy, 515-281-4749 or terry.voy@ed.state.ia.us

8. **DE/SAI Collaboration: New Administrators' Institute in August.** Please remember to notify School Administrators of Iowa (SAI) of new administrators as positions are filled and arrange to send those new administrators to the New Administrators' Institute scheduled for Tuesday, August 6th at the Polk County Convention Center. The institute is a daylong induction process facilitated by veteran administrators, DE personnel, and other education professionals.

Programming includes presentations on the nuts and bolts of day-to-day administration and on instructional leadership focus. Watch for the registration forms in late May. *Special Note:* A new feature of the Institute will be a statewide learning opportunity for all the veteran and new curriculum coordinators, with or without administration designation. Topics will include the following:

- Assistance on writing long-range and annual school improvement goals
- Making meaning of CSIP
- Staff Development Component of Teacher Quality Legislation
- ESEA Update

Contact: SAI, 515-267-1115

9. **Phase III Status for 2002-2003.** The current education-funding bill that is being considered by the Governor includes a significant reduction in Phase III funding for the 2002-2003 school year. If passed in its present form, Phase III funding would be reduced by about \$14,500,000 from \$23,800,000, leaving about \$9,300,000. This would be approximately a 60% reduction in Phase III funds from the 2001-2002 school year. The Governor has not signed this bill and work continues to provide more funding for Phase III for next year. Since the amount of Phase III money available to districts and AEAs for next year is still undecided, the deadline for submitting a proposed budget is extended from May 31, 2002, to June 30, 2002. Districts and AEAs should be now doing preliminary planning for that proposed budget expecting that the available funds may be a 60% reduction from last year's amount for each district and AEA. The available dollars may be more than that amount, but at this time the final amount appropriated is uncertain. Districts and AEAs will be notified of the actual Phase III appropriation as soon as more information is available.

Contact: Steve Fey, 515-281-3552 or steve.fey@ed.state.ia.us

10. **State Board Educational Equity Recognition Awards.** The Iowa State Board of Education established the Educational Equity Recognition Program in 1995. The purpose of the program is to recognize exemplary leadership and programs within educational agencies related to educational equity, multicultural, gender fair education, respect for diversity, and proactive strategies to more effectively serve all students regardless of racial/ethnic background, language, gender, disability, age, and religion. School districts, accredited non-public schools, area education agencies, community colleges, educator preparation programs, community based agencies, and regional consortiums made up of a combination of these agencies are eligible recipients.

Contact: Mary Sullivan, 515-281 5471 or mary.sullivan@ed.state.ia.us

11. **Modified Allowable Growth Approvals for Dropout Prevention and Services for Dropouts for the 2002-2003 School Year.** Schools were approved by the SBRC on March 26, 2002 for modified allowable growth for dropout prevention and services for dropouts for the 2002-2003 school year. Please go to the Department's web site for a list of schools and allocations.

Contact: Ray Morley, 515-281-3966 or ray.morley@ed.state.ia.us or

Su McCurdy, 515-281-4738 or su.mccurdy@ed.state.ia.us

Update

Evaluator Approval Training Program Development

This summary is intended to provide you with additional, up-to-the-minute information about the development and implementation of the revised Evaluator Approval Training Program. This update is intended to supplement the update issued March 4, 2002.

12. Accredited Nonpublic School Participation

Accredited nonpublic school administrators are encouraged, but not mandated, to participate in the revised Evaluator Approval Training Program. Any interested nonpublic school administrator is requested to delay participation in this program until the second round of training begins in January 2003. Participating nonpublic school employees are not eligible for the \$1,000 stipend that is awarded to district employees upon successful completion of the training.

The licensing process for beginning nonpublic schoolteachers remains the same as it has been prior to the passage of the Teacher Quality legislation.

A local school board and its certified bargaining representative may negotiate, pursuant to chapter 20, additional teaching standards and criteria. A local school board and its certified bargaining representative may negotiate, pursuant to chapter 20, evaluation and grievance procedures for teachers other than beginning teachers that are not in conflict with this chapter.

13. Iowa Teaching Standards, Model Criteria, and Descriptors

Model criteria to support the Iowa Teaching Standards will be noticed into rule (Chapter 83) at the May State Board meeting. A group of educators developed draft descriptors intended to operationalize the criteria for second year teachers. These descriptors depict expected observable behaviors of second year teachers that meet the Iowa standards and criteria. Dr. Tom McGreal, Dr. Bev Showers, Dr. Barbara Howard, and Dr. Charlotte Danielson have guided the descriptor development process. These descriptors should be available by the end of May. This information will be included in the training developed for Evaluator Approval Certification.

14. Model Evaluation Process and the Evaluation Tool for Beginning Teachers

The Department is in the process of developing model evaluation processes and the tool to be used with beginning teachers statewide. These processes and the evaluation tool should be available at the end of May.

15. Credits

All administrators that successfully complete this training will earn enough re-certification hours to renew their general administrative endorsement. The Department is currently working with the Board of Educational Examiners, SAI, and the AEA system to determine the proper delivery for the issuance of continuing education and re-certification credit, as well as college credit.

16. Additional Round of Trainer Development

To ease the demands on trainers for this process and to ensure that the statewide system meets its capacity needs, there will be another opportunity for trainer development for the Iowa Teacher Evaluator Approval Program. An additional training session, facilitated by Dr. Barbara Howard, will be offered August 27-29, September 10-12, and September 24-26. Please note that this is training to develop trainers for the process. This is not for educators simply looking to re-certify as an evaluator. More information will be published soon on the application process for this training. It is anticipated that another 20-25 trainers will be selected for this training.

17. Data Driven Leadership (DDL) and Evaluator Approval Training: The connection

DDL training develops the generic skill of data driven decision-making. This skill, once developed, can then be applied to teacher evaluation situations specifically through evaluator approval training. It is expected that individuals seeking evaluator approval certification will complete DDL training prior to attending evaluator approval training or early on in the evaluator approval training. Successful participants in this training will have demonstrated one of the four skill sets required for teacher evaluator approval training. DDL training will begin soon and continue through the summer, fall, and spring. DDL training is four days.

The additional three skill sets needed for evaluator approval certification (beyond DDL training) will be developed in six days of training beginning in September. To re-certify, an approved trainer must validate skill in each of the four skills areas with each potential evaluator.

18. Roles of Various Stakeholders in this Process

This is a statewide initiative that is not specific to any single stakeholder group. Training will occur in five regions, clustered by AEA:

- South (AEA regions 13, 14, 15, & 16)
- Central (AEA region 11)
- Northwest (AEA regions 3, 4, 5, & 12)
- East (AEA regions 9 & 10)
- Northeast (AEA regions 1, 2, 6, & 7)

Trainers will be solicited from a variety of groups, including current and retired administrators, AEA personnel, higher education personnel, and Nationally Board Certified teachers. Past administrative and evaluation experiences, while advantageous, are not a prerequisite for becoming a trainer in this revised process. Each region will have a minimum of ten trainers per region and will be responsible for the delivery of training in that region as a whole. Trainers have the ability to structure the delivery of training in ways that accommodate particular cohorts. It will be possible to have several delivery structures operating in a single region at the same time. For this reason, it is not possible to talk about training dates until trainers in each region are selected. The first cohort of training will begin in September and continue through December. A second cohort will run from January through June of 2003.

The administrative preparation programs in each of the eight approved programs in the state of Iowa will integrate this training into their programs. Each of the eight programs will have certified trainers in this process to ensure that graduates from these programs are certified to be teacher evaluators in the state of Iowa.

19. Contact Information

If you have a need for clarification or need more information, contact Jeff Berger at (515) 281-6719, Grimes State Office Building, Des Moines, IA 50319 or email jeff.berger@ed.state.ia.us.

Legal Lessons

Contact: Carol Greta, 515-281-5295 or carol.greta@ed.state.ia.us

20. **Update: Rule on Academic Eligibility to Participate in Extracurricular Sports.** The State Board of Education continues to discuss this item. The Board would like to hear from any district that (1) has a local rule more stringent than the statewide rule and that (2) has empirical data about the effect its local rule has had on participation rates, drop out rates, juvenile crime rates, etc. If your district has these data, please contact Carol Greta ASAP about appearing before the State Board, most likely in September or November 2002.
21. **Federal “Boy Scouts Act.”** Part of the No Child Left Behind federal legislation is a law that requires a public school district to give the Boy Scouts access to its facilities for before or after hours meetings if the district provides such access to any other youth or community group. This is really not a change from “business as usual” in Iowa. If a district allows any non-school group to use school premises,

the district may not say “no” to another group on the basis of that group’s beliefs or membership list. However, nothing in either pre-existing law or the new law requires a district to let in the Scouts, as long as the district does not allow access to school facilities to any group.

22. **What’s new in FAQs?** FAQs on Competent Private Instruction have been added, as well as Student Discipline (the latter may be a few days into May before it’s available). These FAQs may be found on our web site under FAQ, then under Office of the Director. They join FAQs on 1) Attendance and Age, 2) Gifted and Talented Education, 3) Open Enrollment, 4) Post Secondary Enrollment Options Act, 5) School Calendar/Year, and 6) Tuition and Fees. If you have a question in one of those areas, please check first under the FAQs.

23. **Dual Enrollment – Who may do so and when?** Just a reminder that dual enrollment is available to all students who receive competent private instruction, both those who are home schooled and those who attend a non-accredited private “school.” It is not limited to students of compulsory attendance age. A district may include all school-aged children who dually enroll in the district’s actual enrollment pursuant to Iowa Code section 257.6(1). The compulsory attendance age language triggers the obligation of the parent/guardian to file Form A (the Report of CPI) to avoid truancy problems; it is not meant to limit the availability of dual enrollment and attendant services.

First example: Parents timely dually enroll their home schooled son, who will be five years old by September 15. The district may count the student. Second example: Parents of an eight-year-old who is enrolled in an accredited nonpublic school seek to dually enroll her with the district. The student cannot be dually enrolled (and thus cannot be counted) because the student is in an accredited school.

The deadline for open enrollment is September 15 or within 14 days of moving into the district or within 14 days of withdrawing the student from public schooling or an accredited nonpublic school.

24. **First Amendment “Protected Speech” vs. Threats and How to Tell the Difference.** Speech that is (1) meant as a threat, (2) perceived by the hearer as a threat, and (3) communicated clearly and unambiguously (though not necessarily verbally or in writing) is generally NOT protected speech.

Example: Two days after the shootings at Columbine, a student wore a trench coat to school solely for the purpose of scaring staff and students. This student meant to scare people; he meant to scare a lot of people. It did not matter that he lacked a plan or the wherewithal to carry out any plan. His “speech” was not protected and the DE upheld his expulsion. *In re Noah*, 17 D.o.E. App. Dec. 306.

Contrast *Noah* with a case from Indiana where a middle school student (after his former sweetheart broke up with him) assuaged his broken heart by writing a scathing poem about her on a school computer. The student did not send the poem to the former girlfriend and did not mean for her to see it. Unfortunately, a friend of the poet saw to it that the former girlfriend received the poem. She complained, and the school expelled the ex-boyfriend. The courts quite rightly re-instated the student, reasoning that this was not a threat because the author never meant for his former sweetheart to see his poem.

When in doubt about the difference between a threat and protected speech, ask your attorney!